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Shane Escamilla, Stephen Mollet
8 *Sandra Rose-Thayer and Melissa Travis*

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 RICKIE SLAUGHTER,

13 Plaintiff,

14 vs.

15 ESCAMILLA, et al.,

16 Defendant.

Case No. 3:16-cv-00457-MMD-WGC
ORDER GRANTING

**DEFENDANTS' MOTION FOR
ENLARGEMENT OF TIME TO RESPOND
TO DISCOVERY REQUEST TO MELISSA
TRAVIS**

17 Defendants, Shane Escamilla, Stephen Mollet, Sandra Rose-Thayer, and Melissa Travis, by and
18 through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Benjamin R.
19 Johnson, Deputy Attorney General, do hereby move this Court for an enlargement of time to serve their
20 responses and/or objections to Plaintiff's discovery requests to Defendant Melissa Travis. This Motion
21 is based on the following Memorandum of Points and Authorities and all papers and pleadings on file
22 herein.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 **I. INTRODUCTION AND RELEVANT PROCEDURAL HISTORY**

25 On April 30, 2018, Plaintiff served his second set of interrogatories to Defendant Melissa Travis.
26 He also included a request for production of documents in the same request. Defendants served responses
27 to the request for production of documents on May 30, 2018. However, Defendant Travis has requested a
28 small extension of time to complete her responses to the interrogatories.

FED. R. CIV. P. 6(b)(1) governs enlargements of time and provides as follows:

1 When an act may or must be done within a specified time, the court may,
2 for good cause, extend the time: (A) with or without motion or notice if
3 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

4 The proper procedure, when additional time for any purpose is needed, is to present a request
5 for extension of time before the time fixed has expired. *Canup v. Mississippi Val. Barge Line Co.*, 31
6 F.R.D. 282 (W.D.Pa. 1962). Extensions of time may always be asked for, and usually are granted on a
7 showing of good cause if timely made under subdivision (b)(1) of the Rule. *Creedon v. Taubman*, 8
8 F.R.D. 268 (N.D. Ohio 1947).

9 Defendant Travis seeks an enlargement of time to serve responses to the second set of
10 interrogatories. Good cause exists to extend the time to file this motion. Defendant Travis needs a
11 small enlargement of time to respond, up to and including, June 13, 2018. Plaintiff will not be
12 prejudiced by this short extension of time.

13 II. CONCLUSION

14 Based on the foregoing, Defendants respectfully request their motion for enlargement of time is
15 granted and the deadline for serving discovery responses be extended to June 13, 2018.

16 DATED this 30th day of May, 2018.

17 ADAM PAUL LAXALT
18 Attorney General

19 By:



20 BENJAMIN R. JOHNSON
21 Deputy Attorney General
22 State of Nevada
23 Bureau of Litigation
24 Public Safety Division

25 *Attorneys for Defendants*

26 **APPROVED AND SO ORDERED:**

27 

28 **U.S. MAGISTRATE JUDGE**

DATED: May 31, 2018